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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/258,407	02/26/1999	RAMZI CHEAITO	028579-0102	3845

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FOLEY AND LARDNER  
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WASHINGTON, DC 20007

EXAMINER
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SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

12

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/258,407

Applicant(s)

CHEAITO ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1, 2, 5, 9, 11, 12, 14-22, 24-26, 28 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Gurbani et al. US 6,282,275

1.1 Regarding claims 1, 15 and 17, Gurbani discloses a telephone caller identification log with Internet access in figure 1. Gurbani's system comprises:

a subscriber telephonic device 104 connected to a switched telephone network 110;

a caller ID server [data logging unit] 124 in the switched telephone network (column 5, lines 47-51), the caller ID server 124 storing caller identifying information upon a call to the telephone 104 from a caller telephonic device 102 (column 2, lines 44-63), the caller ID server 124 connecting to a telephone network 110 allowing a subscriber, using a computer 130 to access the caller ID server 124 via the telephone network 110 (column 3, lines 28-43), wherein the caller ID server 124 has a database for storing the caller identifying information (column 2, lines 59-63), and has a gateway (Internet Protocol Server 126) for connecting the caller ID server 124 from a switched telephone network to the Internet (column 5, lines 47-51), wherein the caller identifying information is accessible through the gateway via the Internet network device 132, using user's name and password (column 4, lines 58-67; column 5, lines 1-20) or separately by a remote telephonic device, such as computer 130 which is an Internet phone able to return a call through Internet (column 4, lines 5-16).

1.2 Regarding claim 2, Gurbani teaches that the caller telephone 102 and the subscriber telephone 104 are connected to the same telephone network 110 as shown in figure 1.

1.3 Regarding claims 5 and 19, the caller ID server 124 is local to a SSP since the subscriber's switched telephone 104 and caller ID server are both connected to the same telephone network 110 (Figure 1).

Art Unit: 2645

1.4 Regarding claims 9 and 20, Gurbani teaches that the caller ID server 124 is in a SCP (column 5, lines 47-51).

1.5 Regarding claims 11 and 12, the caller ID server 124 has a storage medium for storing caller identifying information (column 2, lines 59-63).

1.6 Regarding claims 14 and 16, as discussed in claim 1, Gurbani teaches accessing the caller ID server via computer 130 through PSTN 110. It is inherent that computer 130 needs an Internet provider (ISP) to access the Internet.

1.7 Regarding claim 18, Gurbani teaches that the caller ID server stores the caller identifying information upon a call to the subscriber telephone 104 (column 2, lines 44-63).

1.8 Regarding claim 21, Gurbani teaches that a greeting message to alert the subscriber of success in reaching the caller identifying information (upper window of Figure 2A).

1.9 Regarding claims 22 and 24, Gurbani teaches reviewing and deleting (editing) caller identifying information (column 3, lines 56-67).

1.10 Regarding claim 25, it is inherent that Gurbani's system is able to save the caller identifying information after editing (deletion).

1.11 Regarding claim 26, Gurbani teaches storing the caller identifying information in an area of call ID server 124 (column 2, lines 59-63). It is inherent a server has at least one hard disk for storing data.

1.12 Regarding claims 28 and 30, Gurbani discloses a telephone caller identification log with Internet access in figure 1. Gurbani teaches:

a caller ID server 124 [data logging unit] for storing caller identifying information upon a call to the telephone 104 from a caller telephonic device 102 (column 2, lines 44-63). The caller ID server 124 is connected to a telephone network 110 allowing a subscriber, using a separate telephonic device (computer 130), or a network device 132 to access the caller ID server 124 via Internet 128 (Figure 2; column 3, lines 23-67; column 4, lines 58-67; column 5, lines 1-20).

Gurbani further teaches that the telephonic device (computer 130) is an Internet phone, and the caller identifying information has a field enabling a user to call back a caller by dial back a number in a retrieved list (column 2, lines 12-16; column 4, lines 5-16).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al. US 6,282,275 in view of Valentine US Patent 5,898,770.

2.1 Regarding claims 3 and 4, Gurbani discloses a caller ID server [data logging device] in a subscriber's switched telephone network for logging caller identifying information, and the caller ID server is accessible through a network device 132 or separately by a telephonic device 130, but fails to specifically teach that the subscriber switched telephone network and the caller switched telephone network are two separate switched telephone networks and there is line connecting the two switched telephone networks for transferring the caller identifying information.

However, Valentine discloses a caller ID logging unit (CLD 100) for logging caller IDs (column 3, line 59 to column 4, line 7) in figure 1. Valentine also discloses lines (18 and 22) for connecting caller's local exchange 20 to a called party's local exchange 14 and transferring a caller's ID to CLD 100 (column 3, lines 29-41, 59-67; column 4, lines 1-7). Valentine teaches that his invention may be used in conjunction with any routing network, including SS7 (column 3, lines 33-41) and wireless (column 6, lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify to modify the Gurbani's reference with

Valentine's teaching so that in case the caller and the subscriber were from different switched telephone networks, there would have been a line, either a SS7 line or a wireless link, connecting subscriber's switched telephone network and caller's switched telephone network for transmitting caller's identifying information to the caller ID server 124, because such modification would have enabled a caller from other switched telephone network to call the called party telephone 104 and having its caller ID logged in the caller ID server 124.

2.2 Regarding claim 6, Gurbani discloses a caller ID server [data logging device] in a subscriber's switched telephone network for logging caller identifying information, and the caller ID server is accessible through a network device 132 or separately by a telephonic device 130, but fails to specifically teach that the caller ID server 124 is connected to an intelligent peripheral.

However, Valentine discloses a caller ID store 108 located in SCP 172 (column 5, lines 64-67), which is connected to an IP (figure 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani's reference with Valentine's teaching so that the data logging unit would have been connected to an IP, and inherently would have had a line peripheral for interconnection, because connecting the caller ID server 124 to an IP or to a SCP 122 would have been a matter of design choice within an AIN switched telephone network.

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gurbani et al. US 6,282,275 in view of Rogers et al. US 5,946,386.

Gurbani discloses a caller ID server [data logging device] in a subscriber's switched telephone network for logging caller identifying information. The caller ID server is accessible through a network device 132 or separately by a telephonic device 130, and presenting a menu of commands to a subscriber once accessed, but fails to specifically teach the menu is a screen pull down menu.

However, Rogers discloses a user's call log (Figure 9), residing in a call management computer 101, from a local computer 114 or from a remote (work at home) computer 114 through Internet (column 42, lines 11-13, 22-26, 29-32; column 7, lines 13-19). The call management computer is within a switched telephone network (between a central office and a PBX as shown in figure 1). Rogers teaches that an option [command] menu is a pull down menu (Figure 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Gurbani's reference with Roger's teaching so that a command menu would have been a pull down menu, because such a pull down menu is well known in the art, such as Microsoft's Windows, and such modification would have been a matter of design choice.

4. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. US 5,946,386 in view of Bowater et al. US 6,282,269.

Rogers teaches accessing a user's call log, residing in a call management computer 101 from a local computer 114, a remote (work at home) computer 114, or computer 120 through Internet (column 7, lines 13-22; column 9, lines 63-66; column 42, lines 11-59;). The call management computer is within a switched telephone network (between a central office and a PBX as shown in figure 1), and the call log has an indicator "VM" for indicating a call sent to voice mail (figure 9, call indicator 905; column 42, lines 38-43). Rogers further teaches voice over the Internet (column 9, lines 47-52), and retrieving a voice mail message by a click of a mouse (column 45, lines 9-20). Rogers fails to teach that the work-at-home computer 114 is a telephonic device.

However, Bowater discloses an Internet phone in figure 3 (column 6, lines 8-16). Bowater teaches that a computer with appropriate application software is an Internet phone (column 7, lines 12-23; column 8, lines 7-10), and the Internet phone is used to retrieve a voice mail message (column 11, lines 37-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Rogers' reference with the teaching of Bowater, so that a user work-at-home computer would have been modified as an Internet phone, and a user would have been able to access the call log via Internet by computer 120 and separately by work-at-home computer 114 (telephonic device), and a user would have been able to retrieve a voice mail message over the Internet by work-at-home computer 114 (Internet phone), because such modification would have clarified the teaching of Rogers for voice over Internet and retrieving a voice mail message by a click of a mouse.

***Response to Arguments***

5. Applicant's arguments filed on 09/10/2003 have been fully considered but they are not persuasive.

a) Claims 1, 15, 17, 28 and 30: The applicant argues that Gurbani does teach accessing a call log (caller identification information) via Internet and separately via a telephonic device. However, as discussed in the rejection above, Gurbani teaches accessing the caller ID server 124 via a network device (computer 132) and separately via Internet phone (computer 130).

b) Claims 27 and 29: The applicant argues that Rogers' call management computer 101 is not within a switched telephone network. However, Rogers discloses that the call management computer 101 is connected to a central office 103 and a PBX 104. It is obvious to one of ordinary skill in the art that the call management computer 101 is within a switched telephone network, since central office 103 and PBX 104 are part of a switched telephone network.

***Conclusion***

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Art Unit: 2645

supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

12/12/2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

